IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

William R. Schriver and Robert)
H. Schriver, Jr.,)
Plaintiffs,)
v.) No. 3:06-CV-275) Phillips/Guyton
T.F. Harrison, Trustee of the Faye Harrison Trust, et al,)
Defendants.)

ORDER OF DISMISSAL

On September 26, 2006, plaintiffs were ordered to show cause why defendant Tennessee Valley Authority's motion for summary judgment [Doc. 5] should not be granted. Tennessee Valley Authority's motion for summary judgment was filed on August 1, 2006, and plaintiffs were ordered to show cause or respond to defendant's motion for summary judgment on or before October 18, 2006. To date, plaintiffs have failed to respond to the Court's direct order, indicating to the undersigned that they have no interest in proceeding against defendant Tennessee Valley Authority in this action.

As stated in the order to show cause, failure to respond or show adequate cause will result in dismissal of the matter pursuant to E.D. TN. LR 7.2. The Court finds that the plaintiffs' failure to respond to the defendant's motion for summary judgment operates as a waiver of any opposition to the relief sought. Accordingly, defendant Tennessee Valley Authority's motion for summary judgment [Doc. 5] is **GRANTED**, and this case is

DISMISSED with prejudice on the merits as to defendant Tennessee Valley Authority.	
IT IS SO ORDERED.	
	ENTER:
	s/Thomas W. Phillips UNITED STATES DISTRICT JUDGE